

Message Text

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PAGE 01 GENEVA 13730 131447Z
ACTION EB-08

INFO OCT-01 IO-13 ISO-00 STRE-00 AGRE-00 EUR-12
CIAE-00 INR-10 NSAE-00 AID-05 COME-00 SP-02
TRSE-00 L-03 OMB-01 CEA-01 FRB-03 /059 W
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R 131422Z SEP 78
FM USMISSION GENEVA
TO SECSTATE WASHDC 4004
INFO ALL EC CAPITALS

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PASS ELECTRONICALLY STR FOR STARKEY AND AGRICULTURE FOR
SAYLOR AND SCHROETER

E.O. 11652: N/A
TAGS: GATT MIP
SUBJECT: MIP PANEL

REF: GENEVA 09223 AND GENEVA 09520

1. AT THE END OF THE JUNE MEETING IN WHICH THE GATT
PANEL ON MIP COMMUNICATED ITS FINDINGS TO THE U.S. AND
EC, THE PANEL CHAIRMAN, JAGMETTI, STATED THAT HE WOULD
LIKE TO GIVE THE TWO PARTIES INVOLVED TIME FOR REFLECTION
AND FOR POSSIBLE RECONCILIATION OF THEIR DISPUTE BEFORE
SUBMITTING THE PANEL FINDINGS TO THE GATT COUNCIL BY
MID-SEPTEMBER.

2. SINCE NEITHER PARTY HAS MOVED ON THIS ISSUE, THE PANEL
CHAIRMAN WAS NOW ABOUT TO PREPARE HIS REPORT TO THE
COUNCIL. HOWEVER, WE HAVE NOW LEARNED THAT ON SEPTEMBER 11
THE EC REQUESTED THE PANEL CHAIRMAN AND THE GATT
SECRETARIAT TO HAVE AN INFORMAL MEETING IN WHICH THE
EC WILL ASK FOR SOME FURTHER ELUCIDATION OF THE REASONING
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PAGE 02 GENEVA 13730 131447Z

UNDERLYING THE PANEL'S CONCLUSIONS. THIS MEETING WOULD
NOT INVOLVE THE WHOLE PANEL BUT ONLY ITS CHAIRMAN.

3. JAGMETTI TOLD US CONFIDENTIALLY THAT HE SEES NO
REASON TO REOPEN THE PANEL'S DELIBERATIONS IN THE LIGHT
OF ADDITIONAL EC COMMENTS UNLESS THE LATTER WOULD BE
ABLE TO ADDUCE WEIGHTY REASONS FOR A MODIFICATION OF

THE PANEL FINDINGS. JAGMETTI SAID FURTHER THAT HE DOES NOT EXPECT THE EC TO INSIST THAT THE PANEL REOPEN THE ISSUE BUT RATHER THAT THIS EC MOVE MAY REPRESENT A FOREWARNING THAT THE EC MIGHT CHALLENGE THE PANEL'S CONCLUSIONS WHEN THESE ARE SUBMITTED TO THE GATT COUNCIL WHICH IS EXPECTED TO MEET SOMETIME IN OCTOBER.

4. WE ASSUME THAT WASHINGTON HAS NO FURTHER COMMENTS ON THE PANEL CONCLUSIONS WHICH WERE FORWARDED TO WASHDC IN JUNE.

5. WE WILL REPORT FURTHER DEVELOPMENTS.VANDEN HEUVEL

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NNN

Message Attributes

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Disposition Approved on Date:
Disposition Case Number: n/a
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TAGS: ETRD, GATT, MIP
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